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6 Bodega Latina Corporation
dba El Super
7

8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 LUCINDA ORTIZ, an Individual,

Case No.:

11 Plaintiff,

12 vs.

13 BODEGA LATINA CORPORATION, d/b/a
14 EL SUPER, a California Corporation;
DOES I-X; and ROE BUSINESS
15 ENTITIES XI-XX, inclusive,

16 Defendants.
17

18 NOTICE OF REMOVAL

19 TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
20 Defendant, Bodega Latina Corporation dba El Super, hereby notices the removal
21 of this action to the United States District Court and, in support thereof, states as
follows:

22 1. On or about April 30, 2018, Plaintiff commenced an action in the Eighth
23 Judicial District Court, Clark County, Nevada, entitled *Gina Alcantara v. Bodega Latina*
24 *Corporation dba El Super*, Case No. A-18-773721-C. A copy is attached hereto as
25 Exhibit A. In the Complaint at ¶1, Plaintiff alleges that Plaintiff is a resident of Clark
26 County, Nevada.

27 2. Service of Summons and Complaint upon Defendant Bodega Latina
28

1 Corporation dba El Super was made by personal service on May 25, 2018. A copy is
2 attached as Exhibit B.

3 3. No further proceedings have been had in this matter in the Eighth Judicial
4 District Court, Clark County, Nevada.

5 4. This Court has original jurisdiction over the subject matter of this action
6 pursuant to 28 U.S.C. §1332. Further, this matter is one that may be removed to this
7 Court pursuant to 28 U.S.C. §1441 because it is a civil action that is between citizens of
8 different states and in which the amount in controversy exceeds \$75,000, exclusive of
9 interest and costs.

10 5. Plaintiff alleges in her Complaint that she was and is, at all times relevant
11 therein, a resident of Clark County, Nevada.

12 6. Defendant Bodega Latina Corporation is a Delaware Corporation
13 headquartered in Paramount, California.

14 7. DOES 1 through 10 and ROE CORPORATIONS 1 through 10 are named
15 and sued fictitiously, and their citizenship is disregarded as a matter of law for purposes
16 of removal on grounds of diversity jurisdiction.

17 8. There is now complete diversity between Plaintiff and Defendant Bodega
18 Latina Corporation.

19 9. The Complaint alleges claims for Negligence/Premises Liability and
20 Negligent Hiring/Supervision.

21 10. Plaintiff has identified medical special damages in excess of \$69,000.00.
22 and has demanded settlement in the amount of \$570,000.00. Plaintiff is currently still
23 undergoing treatment. Thus, based on the allegations in the complaint and the
24 representations made by the Plaintiff, the value of the amount in controversy exceeds
25 \$75,000.00.

26 11. Fewer than 30 days have passed since notice of lawsuit was served, the
27 thirtieth day being June 25, 2018.

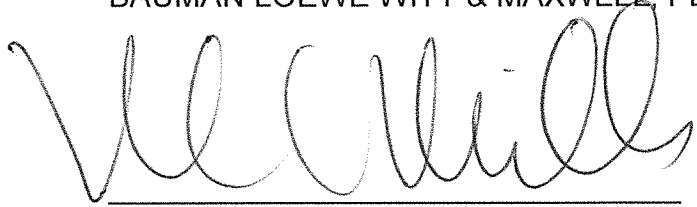
28 12. A true and correct copy of this Notice of Removal is being filed on this

1 date with the Clerk of the Eighth Judicial District Court, Clark County, Nevada.

2 13. Based on the foregoing, Defendant Bodega Latina Corporation, hereby
3 removes the above-referenced action now pending in the Eighth Judicial District Court,
4 in and for the County of Clark, as Case No. A-18-773721-C to this Court.

5 Dated this 4th day of June 2018.

6 BAUMAN LOEWE WITT & MAXWELL, PLLC

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A Plaintiff's Complaint
B Affidavit of Service